

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

THE FORTUNE SOCIETY, INC.

Plaintiff,

v.

SANDCASTLE TOWERS HOUSING
DEVELOPMENT FUND CORP.,
SARASOTA GOLD LLC, E & M
ASSOCIATES LLC, WEISSMAN REALTY
GROUP LLC,

Defendants.

Civil Action No.: 1:14-cv-6410

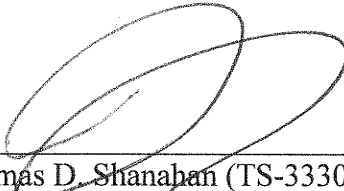
Magistrate Judge Vera M. Scanlon

**NOTICE OF MOTION SEEKING
SUMMARY JUDGMENT, TO PRECLUDE
EXPERT REPORTS AND TESTIMONY OF
DR. ALLAN PARNELL AND TO STRIKE
ALLEGATIONS IN THE AMENDED
COMPLAINT**

PLEASE TAKE NOTICE that based upon the Declaration of Thomas D. Shanahan dated July 15, 2016, Declaration of Donald Welsch dated July 14, 2016, Memorandum of Law in Support dated July 15, 2016, Local Rule 56.1 Statement of Uncontested Facts dated July 15, 2016 and the exhibits annexed in support, the Defendants will move this Court, pursuant to Fed. R. Civ. P. 56 for an order granting summary judgment to the Defendants in the above captioned action; pursuant to Fed R. Civ. P. 12(f), striking paragraphs 4, 5, 6, 7, 11, 13, 17, 20, 35, 37, 38, 39, 40-47, 52, 74, 75-92 and 108-124 from the Amended Verified Complaint; and, pursuant to F.R.E. 403, 702, and Daubert v. Merrill Dow Pharm., Inc., 509 U.S. 579 (1993), precluding the Expert Reports and Testimony of Dr. Allen Parnell, in the above captioned action.

Please be advised that pursuant to the Order of the Honorable Magistrate Judge Vera M. Scanlon, opposition papers are to be served on or before August 15, 2016 and any reply papers, on or before September 6, 2016.

Dated: New York, New York
July 15, 2016



Thomas D. Shanahan (TS-3330)

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